

ENTERED

July 28, 2021

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
LAREDO DIVISION

JOSH LIMAS,

Plaintiff,

VS.

H & SONS, LLC,

Defendant.

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CIVIL ACTION NO. 5:20-CV-172

ADVISORY

The parties have filed a Joint Stipulation of Dismissal with Prejudice (Dkt. No. 26). Parties in a civil suit may generally dismiss the suit without a court order upon the filing of a stipulation of dismissal “signed by all parties who have appeared.” Fed. R. Civ. P. 41(a)(1)(A)(ii). This general rule is subject to limitations in class action suits, shareholder derivative suits, and suits where the Court has appointed a receiver. Fed. R. Civ. P. 41(a). None of those limitations apply here. Thus, because the Stipulation is signed by all parties who have appeared in this case, all claims and causes of action were dismissed with prejudice “automatically” upon the filing of the Stipulation. *Defense Distributed v. U.S. Dep’t of State*, 947 F.3d 870, 873 (5th Cir. 2020) (citing *Nat’l City Golf Fin. v. Scott*, 899 F.3d 412, 415–16 (5th Cir. 2018)).

The Clerk of Court is **DIRECTED** to **CLOSE** this case.

SIGNED July 28, 2021.



Marina Garcia Marmolejo
United States District Judge